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Message Text

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ACTION SNM-05

INFO OCT-01 EUR-12 ISO-00 DEAE-00 CIAE-00 INR-10 IO-13
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SUBJ: NARCOTICS LAWS

1. IN RECENT YEARS, THOUGH ITS DRUG ABUSE PROBLEM IS RELATIVELY SMALL, AWARENESS OF THE DANGER OF NARCOTICS ABUSE HAS INCREASED CONSIDERABLY IN NORWAY. PUBLIC DISCUSSION OF NARCOTICS, IN THE MEDIA AND IN POLITICAL DEBATE HAS BEEN EXTENSIVE. SANCTIONS IN CASES OF CONVICTED DRUG ABUSERS AND TRAFFICKERS IN NORWAY HAS BEEN UNIFORMLY STRICT IN RECENT YEARS, AND MOST OFFENDERS HAVE RECEIVED MAXIMUM SENTENCES. NORWEGIANS ARE QUITE SERIOUS ABOUT NOT ALLOWING A DRUG SUBCULTURE TO DEVELOP IN THIS COUNTRY. CURRENTLY THERE IS ONLY ONE AMERICAN IN PRISION FOLLOWING CONVICTION FOR POSSESSION. SINCE ONLY LOW-GRADE AMPHETAMINES WERE INVOLVED, HE RECEIVED A MINIUMUM SENTENCE OF ONE YEAR.
THE FOLLOWING REPORT ON NORWAY'S NARCOTICS LAWS WAS PREPARED BY THE LAW DIVISION OF THE MNISTRY OF JUSTICE.

2. POSSESSION:
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(A) NO DIFFERENTIATION MADE IN LAW FOR POSSESSION OF VARIOUS SUBSTANCES. IN THE CASE OF VERY SMALL AMOUNTS OF MARIJUANA, POLICE HAVE DISCRETION TO ISSUE CITATION TO OFFENDER SIMILAR TO TRAFFIC TICKET.
(B) THERE IS NO SPECIFIED AMOUNT IN THE LAW FOR OPERATION OF THE OFFENSE.
(C) PENALTIES FOR POSSESSION ARE THE SAME AS FOR OTHER NARCOTICS

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OFFENSES, BUT JUDGES CAN AND DO ADJUST PENALTIES DEPENDING
ON PARTICULAR SITUATIONS.

3. TRAFFICKING:
(A) ALL SUBSTANCES ARE TREATED THE SAME.
(B) PENALTY IS FINE OR UP TO TWO YEARS' IMPRISONMENT OR BOTH.
THERE IS NO PROVISION FOR BAIL IN NORWAY.
(C) NO SPECIFIC AMOUNT IS REQUIRED IN ORDER TO PROVE TRAFFICKING,
IF THE CRIMINAL ALLEGES NO INTENT OR NEGLIGENCE WITH REGARD TO
TRAFFICKING, HE MUST PROVE IT.
(D) TO THE EXTENT THAT CONSPIRACY CAN BE PROVEN, IT IS PUNISHABLE.

4. CULTIVATION, PRODUCTION, ELLABORATION:
(A) THE PRIVATE MANUFACTURE OF NARCOTICS IS FORBIDDEN.
CULTIVATION OF PLANS WITH A VIEW TO PRODUCING NARCOTICS
IS ALSO FORBIDDEN. PENALTY IS FINE, TWO YEARS' IMPRISONMENT
OR BOTH.
(B) CULTIVATION IS ILLEGAL.
(C) THE SAME PENALTIES ARE APPLICABLE FOR ELABORATION AS FOR
PRODUCTION.

5. FINANCIAL:
(A) FINANCIAL SUPPORT IS NOT ILLEGAL AS SUCH, BUT CAN BE CONSTRUED
AS PARTICIPATION IN ILLEGAL DRUG ACTIVITY, AND THE PERSON
INVOLVED PENALIZED AS AN ACCOMPLICE TO THE CRIME.
(B) ALL BRANSFERS OF NORWEGIAN CURRENCY ARE SUBJECT TO STRICT
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REGULATION BY THE NORWEGIAN GOVERNMENT. PRESENT REGULATIONS LIMIT
MOVEMENT OF NORWEGIAN KRONER OUT OF THE COUNTRY TO NK 5000 AND IN
NOTHING LARGER THAN NK 100 NOTES. MOVEMENT OF LARGER AMOUNTS MUST
BE APPROVED BY THE BANK OF NORWAY. THE AMOUNT OF FOREIGN CURRENCY
THAT CAN BE MOVED OUT OF THE COUNTRY CANNOT BE LARGER THAN THE
AMOUNT BROUGHT IN.

6. CRIMINAL PROCEDURE:
(A) THE LAW PROVIDES FOR PRE-TRIAL DETENTION, BUT DOES NOT SPECIFY
THE
LENGTH OF THE DETENTION. THIS IS DETERMINED
BY THE JUDGE IN EACH CASE, BUT THE PRACTICE IN MOST CRIMINAL
CASES IS THAT THE ACCUSED IS HELD FOR UP TO THIRTY DAYS BEFORE
TRIAL. THE CONSULATE IS INFORMED WHEN AN AMERICAN IS IMPRISONED,
AND WE HAVE ALWAYS HAD AMPLE ACCESS TO AMERICAN PRISONERS.
(B) PERIOD OF PRE-TRIAL DETENTION IS DETERMINED BY
THE JUDGE AND IS USUALLY 15-30 DAYS.
(C) ACCORDING TO LAW, THE ARRAIGNMENT PROCESS MUST TAKE PLACE
WITHIN THREE DAYS. BEYOND THE CONSITITUTIONAL GUARANTEE TO A
SPEEDY TRIAL, THERE IS NO FIXED PERIOD IN LAW WITHIN WHICH A PERSON
MUST BE BROUGHT TO TRIAL. AS IN THE US, THIS DEPENDS ON THE CASE
LOAD OF THE JUDGE WHO IS HEARING THE CASE, AND CAN VARY FROM ONE

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LOCALE TO ANOTHER. IN PRACTICE, CRIMINAL CASES COME TO TRIAL IN NORWAY AT LEAST AS QUICKLY AS IN THE US. TRIALS ARE NORMALLY CONCLUDED IN A WEEK. THOUGH NOT PRESCRIBED BY LAW, A WAITING PERIOD OF UP TO ONE YEAR IS USUALLY REQUIRED TO GET AN APPEALS CASE BEFORE THE SUPREME COURT (HOEYESTERETT). THE MINISTRY OF JUSTICE ADVISES THAT PRACTICE HERE IS TO EXPEDITE APPEALS INVOLVING FOREIGNERS.
(D) ALL ACCUSED NORMALLY HAVE ACCESS TO A PUBLIC DEFENDER.
(D) CONDITIONAL LIBERTY CAN BE GRANTED AFTER TWO-THIRDS OF THE SENTENCE, BUT A MINIMUM OF FOUR MONTHS, HAVE BEEN SERVED.
(F) FOREIGNERS CAN BE EXPELLED FROM THE COUNTRY FOR ANY CRIMINAL OFFENSE. IN NARCOTICS CASES, THE OFFENDER WILL BE EXPELLED FROM THE COUNTRY IN ALL CASES EXCEPT WHERE SPECIAL CIRCUMSTANCES EXIST.
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